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THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, INCLUDING THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Report of the Secretary-General prepared pursuant to Commission resolution 1991/65

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Introduction

This addendum contains comments and other information received by the Secretary-General from the Governments of Côte d'Ivoire, Mauritius, Portugal and Qatar to his request, in accordance with Commission on Human Rights resolution 1991/65 of 6 March 1991, on the question of conscientious objection to military service.

COMMENTS PROVIDED BY GOVERNMENTS

Côte d'Ivoire

[27 November 1992]
[Original: French]

The legislation of the Côte d'Ivoire contains no provisions on the subject. However, there is a bill on the point of adoption, containing the Military Function Code, which takes account of the case of conscientious objectors. The latter will fulfil their national-service obligations within the framework of a development aid service, in structures having a scientific, cultural, social or humanitarian purpose which are in the public interest.

Mauritius

[7 December 1992]
[Original: English]

Mauritius does not have any system of military service and the issue of conscientious objection to military service does not arise.

Portugal

[11 January 1993]
[Original: French]

1. The Portuguese Government attaches great importance to the question of conscientious objection to military service and has followed with particular attention the work of the United Nations in that area.

2. Portugal upholds the principles established by resolutions 1989/59 and 1991/65 of which, incidentally, it was a sponsor. These principles are already reflected in the national legislation on the subject, particularly Act 7/92, of 2 May 1992, and the recent Decree-Law No. 191/92, of 8 September 1992.*

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* Decree-Law No. 191/92, of 8 September 1992, is available in Portuguese for consultation in the files of the Centre for Human Rights.

3. Bearing in mind the text of resolution 1991/65, Portugal would like to emphasize in particular the changes that have been made in the area of conscientious objection to military service as a result of the entry into force of the new legislative text mentioned above.

4. Decree-Law No. 191/92, which supplements the Conscientious Objection Act, establishes a training period for those who have obtained the status of conscientious objector. This training course, which is an innovation in Portuguese law and a solution currently under study in several European States, is held prior to normal civic service and lasts for three months. The training period, established in article 12, paragraph 3, of Decree-Law No. 191/92, comprises a general training stage and another, more specific, training stage. The purpose is to develop the conscientious objector's vocational capacities and ensure his proper integration into the duties constituting the civic service, in the light of the preferences he has expressed.

5. Decree-Law 191/92 protects the rights and guarantees previously accorded by Portuguese law to any individual having obtained the status in question. Thus, conscientious objectors are entitled to pay and subsidies equal to those allotted to persons doing their compulsory military service, to an identity card and to board and lodging guaranteed by the State in the case of hospitalization.

Qatar

[21 December 1992]
[Original: Arabic]

Enlistment in the armed forces and the police in the State of Qatar is optional and voluntary. Accordingly, the question of conscientious objection to military service does not arise in view of the non-compulsory nature of military service in the State.